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SUBJECT: NIGERIA: BUHARI NOT READY TO CONCEDE

Classified by Ambassador Howard F. Jeter. Reasons 1.5 (B & D).

11. (C) SUMMARY: In a late night meeting with Ambassador on April 23, ANPP Presidential candidate Muhammadu Buhari restated his rejection of the just completed Presidential, Gubernatorial and National Assembly elections. He said he lost because the PDP stole the election. He reiterated his position that new elections were necessary and that no legitimate government would exist in Nigeria after May 29. He stressed that the only thing he wanted was "an opportunity for Nigerians to choose their government through free, fair and transparent elections." Buhari asserted that he would adhere to whatever decision the ANPP made on contesting the election, saying that he was a "prisoner of the party." However, he expressed little confidence in the efficacy of the electoral tribunals to redress the deficiencies of the elections. Because of the patent electoral irregularities in many areas, Buhari has been trying to sculpt himself into the role of "guardian of democracy." Given Buhari's coupist past, and less than sterling reputation on human rights, this new role is laden with irony but Buhari seems intent to play it to the hilt. However, we do not think it will stick. Nevertheless, Buhari will try to galvanize the opposition and public to reject the elections. While his efforts will likely prove quixotic, he remains a compelling figure who will demand attention and probably keep tension high, at least in the short-term. END SUMMARY.

BUHARI'S STAND

12. (C) In a late night meeting with Ambassador Jeter on April 23, ANPP Presidential candidate Muhammadu Buhari restated his stand on the Presidential, Gubernatorial and National Assembly elections. He asserted that elections did not take place in at least 13 of Nigeria's 36 states. Results from these areas were tantamount to forgeries, he continued. Since the elections did not hold in these areas, INEC could not have legally declared Obasanjo victor as he would have been unable to satisfy the geographical requirement of winning 25 percent of the vote in 25 states.

13. (C) Buhari attributed his defeat to alleged fraudulent manipulation of the electoral process by the incumbent PDP and partisan INEC commissioners. Buhari maintained that the PDP used various methods to skew the April 12 and the April 19 polls, including ballot box-stuffing, intimidation of voters, the fraudulent registration process and outright manufacturing of election results. The ANPP had noted these deficiencies in its statements after the April 12 legislative elections; however, he accused INEC of willfully ignoring its critics and continuing with the April 19 elections without resolving its deficiencies. Buhari maintained his interest in coordinating with other aggrieved parties. According to Buhari, however, APGA Presidential Candidate Chukwemeka Ojukwu had initially agreed to cooperate. Buhari said that after he talked to APGA about coordination, Ojukwu made a statement asking for INEC to clean up the results. The next day, Ojukwu declared himself the winner of the Presidential elections so "I do not know what his plans are," said Buhari.

14. (C) Buhari said the elections in the Southeast and South-South were particularly opprobrious, failing to meet minimal standards. He claimed that insufficient documentary evidence existed to pursue court cases in many states of those two regions because the ersatz results were "cooked" at the various INEC headquarters. No genuine polling station or collation center tally sheets were completed since no voting ever occurred. He also cited problems in Kaduna, Katsina, Nasarawa, Benue and Adamawa

states as "serious." However, Buhari said, in these states a semblance of elections took place even though results were manipulated in the collation process. In these cases, Buhari continued, the ANPP would take individual issues to the Elections Tribunals, since documentation of the outcomes exists. He said that the ANPP was compiling its evidence and would present it to the Embassy when data collection was complete.

15. (C) Accusing President Obasanjo of complicity in the alleged fraud, Buhari stated "I do not believe that the President did not know" about the wrongdoing. Buhari claimed the ANPP uncovered ballot boxes in Katsina, Niger, Kaduna and Kano states before the Presidential elections. He said that security officials at many sites (mostly in the Southeast and South-South, but not limited there) fired weapons into the air to frighten off voters so the security personnel could swipe then stuff the ballot boxes at an alternative location.

BUHARI'S STRATEGY

16. (C) Buhari, while stopping short of declaring his victory, said that elections were so flawed that, after the May 29 inauguration, "no legitimate government would exist" in Nigeria. He has said that his followers should not "recognize any government" after May 29 and has called for "mass action" in support of his claims. He has not defined what those actions should be and told the Ambassador that he was willing to accept the lead of the ANPP in deciding his course of action. The party, however, had yet to decide on its course of action as it was still examining all its options. (COMMENT: Buhari was probably attempting to distance himself from the spectre of mass protests getting out of hand. Prior to this meeting, he had been on the ramparts leading the call for mass action. However at the meeting, he claimed that he was a "prisoner of his party" and would simply follow what the party decided -- as if he had no voice in this matter. Instead of being the General that he is, Buhari laid the claim that he merely was a pliant foot soldier. We found this disingenuous. END COMMENT.)

WHAT DOES HE WANT

17. (C) Buhari rejected the option of the ANPP participating in the Obasanjo Administration, complaining that such a government would be a sham because Obasanjo would simply people it with opportunists from the ANPP and other opposition parties. Asked by the Ambassador if he had spoken to Obasanjo, Buhari said that Obasanjo had requested a meeting but he had refused. Buhari stated that he was not interested in speaking with Obasanjo, as he really had no hope of finding common ground with the President so there was no reason to go through the pretense. Ambassador told Buhari that the importance of these elections extended beyond Nigeria's borders; the elections had implications for peace, stability and the rule of law in the region and throughout Africa. Buhari responded that he was aware of Nigeria's importance throughout the continent, and stressed that the only thing he wanted was "an opportunity for Nigerians to choose their government through free, fair and transparent elections." Buhari said that he felt trapped by the party, but stated flatly that he "could not step down." "If I were to do something other than what my party is telling me, I would lose all political credibility," Buhari stated.

18. (C) COMMENT: Buhari will continue his clamor for repeating the election. He knows this is highly improbable, but it maintains his stature as Obasanjo's staunchest national critic and, implicitly, as the champion of Northern interests. Buhari's challenge is whether he can unite the opposition parties in a post-election campaign to challenge the results. His martinet antecedents and his perceived regional chauvinism will crimp this attempt. Consequently, Buhari will continue to make waves and good newsprint; however, unless he can galvanize the opposition, especially the APGA and the AD, the waves he makes alone and with fellow Northerners probably will be insufficient to up-end the election results.

JETER